

REMARKS

At the outset, Applicants thank the Examiner for convening the interview of April 5, 2007.

In the final Office Action mailed February 20, 2007, the Examiner rejected claim 1 under 35 U.S.C. § 112, second paragraph for indefiniteness; rejected claims 1, 12, and 20 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 5,761,653 to Schiefer et al. (Schiefer) in view of U.S. Patent Application Publication No. US 2004/0034616 to Witkowski et al. (Witkowski); rejected claims 2-9 and 13-15 under 35 U.S.C. §103(a) as unpatentable over Schiefer in view of Witkowski and further in view of U.S. Patent No. 5,918,225 to White et al. (White); and indicated claims 10, 11, and 16-19 would be allowed if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

By this Amendment, Applicants amend claims 1, 12, and 20 to more clearly define the present invention.

Regarding to the rejection of claim 1 under 35 U.S.C. §112, second paragraph, Applicants submit that the amendments to claim 1 obviate the basis of the Examiner's rejection. Therefore, the rejection of claim 1 under 35 U.S.C. §112, second paragraph, should be withdrawn.

Rejections under 35 U.S.C. §103(a) of claims 1, 12, and 20

The Examiner rejected claims 1, 12, and 20 under 35 U.S.C. §103(a) as unpatentable over Schiefer in view of Witkowski. Applicants respectfully traverse this rejection.

Claim 1 recites a combination of features including, among other things, "determining a number of distinct values of partial keys in a table, wherein each partial

key identifies at least one row in the table” and “reordering one or more columns of the table by cardinality of partial keys, wherein the cardinality of a partial key represents a number of distinct values of the partial key.”

In contrast to the above-noted features of claim 1, Schiefer fails to disclose “a partial key,” much less partial keys that identify at least one row in the table.” Instead of identifying rows, Schiefer’s “key” consists of “columns” (col. 2, lines 32-33; see also col. 5, line 57). Therefore, Schiefer fails to suggest or disclose at least the following feature of claim 1: “determining a number of distinct values of partial keys in a table, wherein each partial key identifies at least one row in the table.”

Moreover, because Schiefer is silent with respect to the claimed “partial key,” Schiefer cannot possibly disclose or suggest at least the following feature of claim 1: “reordering one or more columns of the table by cardinality of partial keys, wherein the cardinality of a partial key represents a number of distinct values of the partial key.” (emphasis added) Therefore, claim 1 is allowable over Schiefer.

Regarding Witkowski, the Examiner does not allege that Witkowski teaches partial keys. Indeed, the Examiner recognizes that Witkowski at paragraphs 516 and 517 describes “the content of a particular row” rather than partial keys. Office Action, page 9, para. 10. Because Witkowski describes the use of content rather than partial keys, Witkowski fails to cure the above-noted deficiencies of Schiefer. Therefore, neither Schiefer nor Witkowski discloses or suggests at least the following feature of claim 1: “determining a number of distinct values of partial keys in a table, wherein each partial key identifies at least one row in the table” and “reordering one or more columns of the table by cardinality of partial keys, wherein the cardinality of a partial key represents a number of distinct values of the partial key.” Therefore, claim 1 is

allowable over Schiefer and Witkowski, whether taken alone or in combination, and the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn.

Claims 12 and 20, although of different scope, include features similar to those noted above with respect to claim 1. For at least the reasons given above, claims 12 and 20 are allowable over Schiefer and Witkowski, whether taken alone or in combination, and the rejection of those claims under 35 U.S.C. § 103(a) should be withdrawn.

Rejections under 35 U.S.C. §103(a) of claims 2-9 and 13-15

The Examiner rejected claims 2-9 and 13-15 under 35 U.S.C. §103(a) as unpatentable over Schiefer in view of Witkowski and further in view White. Applicants respectfully traverse this rejection.

Claims 2-9 depend from claim 1 and, therefore, include all the features therein including, among other things, the above-noted "reordering" and "determining" features. As noted above with respect to claim 1, neither Schiefer nor Witkowski discloses or suggests these noted features. Although White discloses an SQL-based database system, White fails to cure (nor does the Examiner allege that it teaches) the above-noted deficiencies of Schiefer and Witkowski. Therefore, claim 2-9 are allowable over Schiefer, Witkowski, and White, whether taken alone or in combination, and the rejection of claims 2-9 under 35 U.S.C. § 103(a) should be withdrawn.

Claims 13-15 depend from claim 12 and, therefore, include all the features therein including, *inter alia*, the above-noted "reordering" and "determining" features. For at least the reasons given above, claims 13-15 are allowable over Schiefer, Witkowski, and White, whether taken alone or in combination, and the rejection of claims 13-15 under 35 U.S.C. § 103(a) should be withdrawn.

CONCLUSION

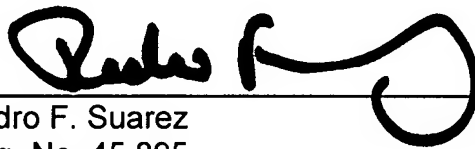
Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner. Applicants submit that the proposed amendments do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner. Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner continue to dispute the patentability of the pending claims.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below. No fee is believed to be due, however, the Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 34874-083-UTL/2004P00004US.

Respectfully submitted,

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